REMARKS

Although the claims have not been amended, a copy of the claims is being provided for the Examiner's convenience.

Applicants would like to express their appreciation to the Examiner for providing more specific reference citations in the Response To Arguments section.

Claims 1 – 7, 9, 14 – 18, 24 and 27 stand rejected over the combination of PANDYA et al., MATSUBARA et al. and CAIN et al. Claims 10 – 13, 21 – 23, 25 and 26 are rejected as being unpatentable over PANDYA et al., MATSUBARA et al., and CAIN et al. in further view of SUNI. Applicants respectfully traverse.

It appears the Examiner may be oversimplifying the invention, when characterizing it as time division multiplexing plus error correction. Each independent claim recites determining eligibility for transmission based upon an amount of elapsed time since a successful transmission. Although the Examiner refers to CAIN et al. to show such a feature, CAIN et al. are not related to this feature.

CAIN et al. teach mobile ad hoc networking in which signal characteristics are adjusted based upon QoS determinations. Exemplary signal characteristics are described as transmission power, pattern and/or gain. There is no discussion of "feed data transmission" (nor do the other references address such a limitation, for that matter). There is no discussion of determining eligibility to receive a requested feed data transmission. There is no discussion of analyzing an amount of time since last receipt of a feed data transmission. Moreover, there is no discussion of analyzing an amount of time since last *successful* receipt of a feed data transmission. Again, CAIN et al. merely teach adjusting a signal characteristic when a QoS threshold has not been met.

If the Examiner is asserting that TDMA includes scheduling, a specific reference to the teaching upon which the Examiner is relying upon should be cited. No such reference has been provided. Rather, the Examiner is relying upon an unsupported assertion that the claimed feature

is taught by the applied references. The teachings of CAIN et al. do not address timing or scheduling. The other applied references also lack at least this claimed feature.

Dependent claims 2 – 7, 9 - 13, 15, 16, 18 – 23, 25 and 26 are also believed to recite further patentable subject matter of the invention and therefore are also believed allowable over the prior art. As such, allowance of the dependent claims is deemed proper for at least the same reasons noted for the independent claims, in addition to reasons related to their own recitations.

For example, claim 9 defines a specific combination of parameters not shown by the applied references. The Examiner asserts that "variables" are not claimed. What was meant is "expected timestamp" "confirmed timestamp" and "copies of system eligibility system data" (i.e., the variables) are not taught or suggest by the applied references.

Claims 11 and 26 recite computation of an earliest elapsed time E when the client will be eligible to receive the feed data. It is unclear how the maximal rate envelope of SUNI relates to these claimed features. Moreover, the equation are completely unrelated to the claimed equations of claims 13 and 25. For example claims 13 and 25 recite equations for an amount of feed data eligible to be received, the equation relating to credits. The equations relied upon by the Examiner are entirely unrelated to calculating data credits that adjust an amount of feed data eligible to be received. Rather, the equations of SUNI relate to calculating delay. If the Examiner believes that such equations teach the claimed features, more detailed explanation of how SUNI's equations relate to the claims is required. The mere fact that equations exist does not mean the equations are equivalent to the claimed equations.

Claim 16 recites reducing available bandwidth by the high priority data usage, while ignoring computed transmission eligibility. Although the Examiner asserts such a feature is inherent, applicants respectfully traverse the inherency argument and request further support for the assertion. Moreover, applicants submit that reducing bandwidth available for future transmissions would not be included in a standard QoS system, nor does the Examiner address this particular feature.

Claim 18 recites details of determining whether a transmission was successful, such details not taught or suggested by the applied references because the applied references do not even discuss successful transmission analysis. The portion of PANDYA upon which the Examiner relies relates to allocating bandwidth among agents. Claim 18, on the other hand, recites comparing a client timestamp to an expected timestamp, and if equal, then writing the expected timestamp into a confirmed timestamp and writing an expected data into a confirmed data. If smaller, no change is made to the confirmed timestamp and the confirmed data.

Claims 22 and 23 recite novel calculations for an amount of credit Again, it is unclear how the equations of SUNNI relate to these claim limitations. More explanation is requested, or else withdrawal of the rejections.

Accordingly, in light of all of these novel features, applicants respectfully request reconsideration of the outstanding rejections and an indication of the allowability of all of the claims in the present application.

In view of the above, applicants believe the pending application is in condition for allowance.

Applicants believe no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 06-2380, under Order No. M067 from which the undersigned is authorized to draw.
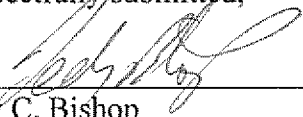
Dated: March 28, 2008

Respectfully submitted,

By_____

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> I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4).
>
> Dated: March 28, 2008
> Signature:_____
> (Donna Forbit)